



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION

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Applicant(s): Timothy A. Bird et al.

Serial No.: 09/884,001

Group Art Unit No.: 1642

Filed: June 18, 2001

Examiner: Susan Ungar

For: SGNK POLYPEPTIDES (as amended)

Docket No.: 2009-US

DECLARATION UNDER 37 CFR 1.131

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

We, Timothy A. Bird, Jacques J. Peschon, John E. Sims, G. Duke Virca, and Cynthia R. Willis, declare that:

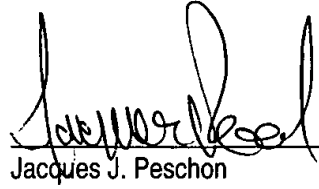
We are the co-inventors and co-applicants in this application. All the actions, events, and observations described in the enclosed Exhibit for this declaration occurred in the United States prior to 1998, the publication year of Ishikawa et al., *DNA Research* 5:169-176, 1998, which was cited by the Examiner in the Office action, Paper No. 5. Prior to 1998, we have cloned sGNK, the subject polypeptide of the present application and, as shown in the Exhibit, determined the nucleic acid sequence that encodes sGNK, which is set forth in SEQ ID NO: 1 of the present application, and its amino acid sequence, which is set forth in SEQ ID NO: 2 of the present application.

We further declare that all statements made herein of our own knowledge are true, that all statements made on information and belief are believed to be true, and that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both (18 USC 1001), and may jeopardize the validity of the application or any patent issuing thereon.




Timothy A. Bird

1/12/2004

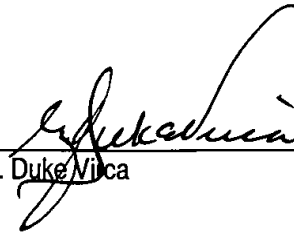
Date

 1/6/03

Jacques J. Peschon Date

John E. Sims Date


G. Duke Wilca
Date 1/7/04

Cynthia R. Willis 1-8-04
Cynthia R. Willis Date

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